

In Re Stevens et al. (S.N. 09/368,989)  
Amendment #2 in Response to April 24, 2001 O.A.  
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effectively swears behind the publication date of the cited Pokkuluri reference. As such, the Applicants submit that the Pokkuluri reference does not act as prior art against the instant application.


Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Pokkuluri et al. in view Goling and Skoog et al. As stated above, since the Pokkuluri reference cannot be cited as prior art, the applicant submits that the reference cannot be used to form an obviousness rejection.

Applicants submit that in light of the foregoing amendments and remarks thereto, the application is deemed in order for allowance.

An earnest attempt has been made hereby to respond to the §101, §102, §103 and §112 rejections contained in the April 24, 2001 official action. Applicants submit that the instant amendment places the application in condition for allowance. If the Examiner feels that a telephonic interview will expedite allowance of the Application, she is respectfully urged to contact the undersigned. Reconsideration and allowance of claims 10-14 and 21 is hereby solicited.

Respectfully submitted,

**CHERSKOV & FLAYNIK**

By 

Michael J. Cherskov (33,664)